

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

HB 1896 - SB 1935

March 24, 2011

SUMMARY OF BILL: Requires an advanced practice nurse or physician assistant to be under the direct supervision of a licensed physician or osteopathic physician who is actively practicing spinal injections when performing invasive procedures involving any portion of the spine, spinal cord, sympathetic nerves, or block of major peripheral nerves in an office-based surgery suite. Exempts from this requirement advanced practice nurses or physician assistants performing major joint injections except sacroiliac injections, soft tissue injections, or epidurals for surgical anesthesia or labor analgesia in unlicensed settings. Establishes restrictions on the type of physicians authorized to practice interventional pain management. Authorizes the Boards of Medical Examiners and Osteopathic Examination to discipline a physician who violates the provisions of this bill, including the imposition of civil penalties of up to \$1,000 for every day the provisions are violated.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- There may be an increase in investigations and prosecutions of physicians who improperly delegate or supervise these procedures and for advanced practice nurses and physician assistants who improperly perform procedures.
- Any cost incurred to perform the investigations will be not significant and can be accommodated within existing resources of the Boards of Medical Examiners, Nursing and Osteopathic Examination and the Committee on Physician Assistants.
- Any rulemaking can be accomplished during regularly scheduled Boards meetings and will not result in a significant increase in expenditures.
- Pursuant to Tenn. Code Ann. § 4-3-1011, all health-related boards are required to be self-supporting over a two-year period.
 - As of June 30, 2010, the Board of Medical Examiners had a balance of \$890,444.43.
 - As of June 30, 2010, the Board of Nursing had a balance of \$322,946.32. The Board had a balance of \$346,921.17 in FY09-10 and a deficit of \$143,117.02 in FY08-09.
 - As of June 30, 2010, the Board of Osteopathic Examination had a balance of \$95,105.43.

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- As of June 30, 2010, the Committee on Physician Assistants had a balance of \$58,369.76. The Committee had a deficit of \$1,954.23 in FY09-10 and a balance of \$32,271.71 in FY08-09.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director

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